

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



W17b

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original staff report

ADDENDUM

October 30, 2015

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: Permit Application #5-15-1152 (Ballast Point, 110 Marina Drive, Long Beach) for the Commission meeting of November 4, 2015.

Revisions to the Staff Report

Commission staff recommends the following additional policy language plus additional findings to clarify the intent of Special Condition #5 requiring the applicant provide a Transportation Demand Management Program (TDMP). Deleted language is shown in ~~striketrough~~ and new language is in **bold, underlined italic**.

Beginning from the top of page 12 of the staff report:

Section 30212 of the Coastal Act states in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby,

Section 30252 of the Coastal Act states, ~~in relevant part:~~

*The location and amount of new development should maintain and enhance public access to the coast by **(1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development,** (4) providing adequate parking facilities **or providing substitute means of serving the development with public transportation,** (5) **assuring the potential for public transit for high intensity uses such as high-rise office buildings,** and by (6) **assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition***

and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253 of the Coastal Act states in relevant part:

New development shall do all of the following:

(d) Minimize energy consumption and vehicle miles traveled

Parking

One of the basic goals of the Coastal act is to maximize public access to the coast. When private development does not provide adequate on-site parking, users of that development who arrive by automobile are forced to occupy public parking used by visitors to the coastal zone. Thus, all private development must provide adequate on-site parking *or provide substitute means of serving the development with public transportation* to minimize adverse impacts on public access. *The proposed project is not providing any additional parking to meet the minor increase in parking demand generated by the proposed use. However, Special Condition #5 of the permit requires implementation of a Transportation Demand Management Program (TDMP) in order to reduce vehicle miles traveled and maintain and enhance public access to the coast by providing substitute means of serving the development with public transportation and providing nonautomobile circulation within the development, consistent with sections 30210, 30252 and 30253 of the Coastal Act.*

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Filed:	7/31/15
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Staff:	L. Roman-LB
Staff Report:	10/16/15
Hearing Date:	11/4/15

STAFF REPORT: REGULAR CALENDAR

Application No.: 5-15-1152

Applicant: Ballast Point

Agent: Smith Consulting Architects, Dana Tsui

Project Location: 110 Marina Drive, Alamitos Bay Landing,
City of Long Beach (Los Angeles County)

Project Description: Remodel and conversion of an existing 42-ft. high, 11,427 sq.ft. restaurant/banquet hall to a new restaurant/brewery/office facility with 2,289 sq.ft. first floor addition by enclosing patio seating area and new 3,372 sq.ft. roof top patio seating area with new tinted glass railing, resulting in 42-ft. high, 17,088 sq.ft. structure; façade improvements, new signage and landscaping improvements.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The proposed project is located at 110 Marina Drive in the Alamitos Bay Landing shopping center in the City of Long Beach. The project site is State Tidelands within the Coastal Commission's area of original jurisdiction. Therefore, the applicant must obtain a coastal development permit from the Commission for the proposed development. The City of Long Beach administers the tidelands on behalf of the State and acts as the Master Ground Lessor, leasing the site to BANCSP Sea Port Village, Inc. doing business as Alamitos Bay Landing which in turn is landlord to Ballast Point, the applicant. BANCAP Sea Port Village, Inc. did not reply to the Commission's invitation to join Ballast Point as co-applicant. The applicant proposes a complete interior remodel to convert an existing two-story, 42-ft. high restaurant/banquet hall to a new restaurant/brewery/office use including a 2,289 sq. ft. addition to the first floor of the

existing structure by enclosing existing patio area and construction of a new 3,372 sq. ft. roof top patio for additional dining/seating, resulting in 42-ft. high, 17,088 sq.ft. structure; façade improvements, new signage and landscaping improvements.

Staff recommends APPROVAL of the proposed project with **nine (9) special conditions** relating to: 1) consistency with State Tidelands Grant; 2) landscaping; 3) bird strike hazards; 4) tree removal; 5) transportation demand management plan; 6) construction best management practices; 7) water quality; 8) future improvements; and 9) assumption of risk, waiver of liability and indemnity. The proposed development has been conditioned to assure consistency with the resource protection policies of the Coastal Act.

STAFF NOTE:

Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a coastal development permit directly from the Commission. The Commission's area of original jurisdiction includes tidelands, submerged lands and public trust lands, whether filled or unfilled. The proposed project is located on filled tidelands within the Commission's area of original jurisdiction. Therefore, the proposed development must obtain a coastal development permit from the Coastal Commission. The Commission's standard of review is Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

Although the City of Long Beach has a certified Local Coastal Program (LCP), the Commission has permit jurisdiction at the subject site because it is built on State tidelands within the Commission's area of original jurisdiction.

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EXHIBITS

Exhibit 1 – Area Maps

Exhibit 2 – Project Plans

Exhibit 3 – City of Long Beach Certified Local Coastal Program (PD-4)

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-15-1152 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves Coastal Development Permit 5-15-1152 for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of

Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Consistency with State Tideland Grant.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall provide written documentation to the Executive Director, including specific citation of the relevant sections of the applicable State Tideland Grant, specifically demonstrating that the uses proposed in this application are consistent with the terms and conditions of the Legislature's grant of the state tideland property to the City of Long Beach, which necessarily includes a finding that the use is consistent with the Public Trust Doctrine. The applicant shall also demonstrate that the State Lands Commission staff concurs and agrees that the uses proposed in this application are consistent with the terms and conditions of the Legislature's grant of the property to the City of Long Beach. Should the State Lands Commission staff not agree that the uses proposed in

this application are consistent with the terms and conditions of the Legislature's grant of the property to the City of Long Beach, the applicant shall submit a permit amendment request proposing any changes that are necessary to bring the proposed development into consistency with the terms and conditions of the grant.

2. **Landscaping – Drought Tolerant, Non-Invasive Plants.** Vegetated landscaped areas and planters shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. The use of pesticides and herbicides shall be prohibited. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See:<http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
3. **Bird Strike Prevention.** Ocean front deck railing systems, fences, screen walls and gates subject to this permit shall use materials designed to minimize bird-strikes with the deck railing, fence, or gate. Such materials may consist, all or in part, of wood; wrought iron; frosted or partially-frosted glass, Plexiglas or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or Plexiglas shall not be installed unless appliqués (e.g. stickers/decals) designed to reduce bird-strikes by reducing reflectivity and transparency are also used. Any appliqués used shall be installed to provide coverage consistent with manufacturer specifications (e.g. one appliqué for every 3 foot by 3 foot area) and the recommendations of the Executive Director. Use of opaque or partially opaque materials is preferred to clear glass or Plexiglas and appliqués. All materials and appliqués shall be maintained throughout the life of the development to ensure continued effectiveness at addressing bird strikes and shall be maintained at a minimum in accordance with manufacturer specifications and as recommended by the Executive Director.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit final revised plans showing the location, design, height and materials of ocean front deck railings, fences, screen walls and gates for the review and approval of the Executive Director. Said plans shall reflect the requirements of this special condition. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. **Tree Removal.** The proposed project includes the removal of two established pine trees in the project area. Prior to any tree trimming or removal, and prior to commencement of any demolition or construction, a qualified biologist or ornithologist shall conduct a breeding behavior and nesting survey for birds protected by the United States Fish and Wildlife Service, California Department of Fish and Wildlife, the Migratory Bird Treaty Act and California species of special concern within the project site and immediate vicinity. The

survey, which shall include all trees affected by the proposed development, shall be submitted for the review and approval of the Executive Director of the Coastal Commission within five days of completion. The survey report shall include identification of any bird nests in the trees proposed to be removed. No tree trimming, tree removal, demolition, or construction activity is permitted until the Executive Director reviews the breeding behavior and nesting survey and determines that the proposed development will not adversely affect any bird nests or breeding behavior. The development shall not proceed if a nest is found or any evidence of courtship or nesting behavior is observed in the trees at the site. The development may proceed when the Executive Director concurs with the opinion of a qualified biologist or ornithologist that the nest(s) is/are naturally vacated, and juveniles have fledged without human or mechanical interference, and there is no longer evidence of any further-attempt(s) at nesting.

The required breeding behavior and nesting survey shall be valid for a period of thirty days. A new survey shall be conducted and submitted to the Executive Director if the development and tree removal has not occurred within thirty days of a valid survey.

5. Transportation Demand Management Program. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall provide for review and approval by the Executive Director, a transportation demand management program as follows:

- (a) All available parking in the Alamitos Bay Landing parking lot shall be shared among and equally available to all of the patrons, employees, and other users of the buildings, and no parking spaces shall be assigned for exclusive use, with exception of required ADA parking;
- (b) The applicant shall actively encourage employee participation in a Ride Sharing/Carpooling program, schedule shifts to benefit this program, and shall offer coordination services free of charge;
- (c) A public transit fare reimbursement program shall be implemented by the applicant. The applicant shall provide for a minimum of 50% reimbursement to 100% of the employees of the development for public transit fare to and from work for both bus and water transportation. Posters, brochures and registration materials of the program shall be available to employees at all times. Employees shall be informed of the program upon orientation and annually thereafter.
- (d) The applicant shall provide a bicycle parking area, free of charge, on the property and encourage, to the extent possible, walking or riding bicycles to and from work. All bicycle parking spaces shall be shared among and equally available to patrons and employees.
- (e) The applicant shall provide, to the maximum extent possible, communal bicycles and/or company vehicle for employee use;
- (f) The applicant will work/coordinate with other businesses at Alamitos Bay Landing, Alamitos Bay Marina, and businesses in the Naples and Belmont Shore area of Long

Beach to encourage Long Beach Transit to extend the nighttime operating hours of Long Beach Transit Route 131 to serve the needs of employees and customers.

The permittee shall undertake the development in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

6. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris. The applicant shall comply with the following construction-related requirements:

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

7. Protection of Marine Resources/Water Quality. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit plans, subject to the review and approval of the Executive Director, for the implementation of appropriate source control, treatment, and both structural and non-structural Best Management Practices (BMPs) to mitigate the volume, velocity, and pollutant load of stormwaters and nuisance flows from the development site. The BMPs shall include, but are not limited to the following:

- a. On a weekly basis, the applicant shall, sweep the parking areas and impervious surfaces to remove sediment, debris, and vehicular residues. Washing-down of impervious surfaces is prohibited, unless these nuisance flows are diverted through an approved filter and do not contribute any additional pollutants to the runoff.
- b. The applicant shall use trash and recycling containers that, if they are to be located outside or apart from the principal structure, are fully enclosed and water-tight in order to prevent stormwater contact with waste matter which can be a potential source of bacteria, grease, and other pollutants in runoff.
- c. Wash down areas for restaurant equipment and accessories shall be designed as follows: 1) The area should be self-contained, equipped with a grease interceptor (minimum capacity of 750 gallons), and properly connected to a sanitary sewer. 2) If the wash area is to be located outdoors, it should be covered, paved, have primary containment, and be connected to the sanitary sewer. 3) The grease interceptor shall be regularly maintained according to manufacturer's specifications to ensure maximum removal efficiencies.

The permittee shall implement, maintain and carry out the plans for BMP's as approved by the Executive Director pursuant to this condition.

8. Future Improvements. This permit is only for the development described in Coastal Development Permit No. 5-15-1152. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, hardscape improvements including perimeter walls or fencing shall require an amendment to Permit No. 5-15-1152 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

9. Assumption of Risk and Waiver of Liability. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from seismic events, liquefaction, storm waves, tsunamis, flooding, sea level rise, and erosion; (ii) to assume the

risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and (v) to agree to include a provision in any subsequent sublease or assignment of the development authorized by this permit requiring the sublessee or assignee to submit a written agreement to the Commission, for review and approval of the Executive Director, incorporating all of the foregoing restrictions identified in (i) through (iv).

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION AND DESCRIPTION

The proposed project is located at 110 Marina Drive in the Alamitos Bay Landing (a.k.a. Seaport Village) a marine-oriented commercial center comprised of restaurants, retail, sports fishing venues and parking areas in the City of Long Beach. The commercial center was built in the 1960s on filled State Tidelands within the Coastal Commission's area of original jurisdiction. 110 Marina Drive is near the south most corner of the Alamitos Bay Landing which is a triangular shaped site with Alamitos Bay to the north and west, the San Gabriel River to the south and east; a thin strip of land to the northeast connects the Alamitos Bay Landing to the mainland. The waters of Alamitos Bay are located only a few feet west of the proposed structure (**Exhibit #1**).

The City of Long Beach administers the tidelands on behalf of the State and acts as the Master Ground Lessor, leasing the site to BANCAP Sea Port Village, Inc. doing business as Alamitos Bay Landing which in turn is landlord to Ballast Point, the applicant. BANCAP Sea Port Village, Inc. did not reply to the Commission's invitation to join Ballast Point as co-applicant.

The applicant proposes a complete interior remodel to convert an existing two-story, 42-ft. tall, 11,427 sq. ft. restaurant/banquet hall structure (formerly Khoury's Restaurant) to a new restaurant/brewery/office facility with 2,289 sq.ft. first floor addition by enclosing patio seating area and construction of a new 3,372 sq.ft. roof top deck with patio seating area with new tinted glass railing constructed over a concrete patio slab. The remodeled restaurant will result in a 42-ft. high, 17,088 sq. ft. structure and include new façade improvements, new signage and landscaping improvements including removal of two existing mature pine trees. Minor demolition of exterior walls is proposed to enclose existing patio area into interior space. Project plans are included as **Exhibit #2**. Overall, the remodeled commercial building would contain a restaurant with 3,723 sq. ft. of interior dining space, 5,019 sq. ft. outdoor dining space, 652 sq. ft. tavern space, 1,370 sq. ft. brewing area, 110 sq. ft. office space in the form of the applicant's (lessee) on-site office, and 380 sq. ft. retail space.

Previous Commissions Actions

- Coastal Development Permit 5-92-050 (City of Long Beach) approved in April 1992, permitting the expansion and modification of the 267 space public parking lot which serves the subject site and other uses in this commercial shopping center to a total of 324 parking spaces.
- CDP 5-92-050-A1 (City of Long Beach) approved in November 1992, revising the approved parking lot expansion to reduce the number of new parking spaces from 63 to 57, and to include in the parking lot a 565 sq. ft. portion of the existing Los Angeles County Flood Control District (LACFCD) turn around area; construction of a new larger LACFCD turn around area using portions of the existing turn around area; and construction of a fence across an existing access point to Alamitos Bay.
- CDP 5-92-050-A2(City of Long Beach) approved in December 2003, modifying the vehicular entrance and exit of the Seaport Village/Alamitos Bay Landing public parking lot; installation of a parking control system with gates and a pay booth; implementation of new parking restrictions, parking fees and a valet parking service; and parking lot drainage and landscaping improvements.

B. LAND USE

Section 30213 of the Coastal Act states in relevant part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.

The proposed project is located on State tidelands administered by the City of Long Beach and leased to private developers for commercial uses. Because the land is actually public property, and is located immediately adjacent to the waters of Alamitos Bay, visitor-serving commercial uses such as the proposed restaurant are given priority over residential and other non-priority land uses.

Additionally, the site is located within the City of Long Beach Planned Development District PD-4, which is part of the certified City of Long Beach LCP. PD-4 includes a list of principal permitted uses for Subarea One where the proposed project is located (**Exhibit #3**). All of the uses permitted in PD-4 are visitor serving commercial uses which, in some way, support or enhance public opportunities for coastal recreation. The certified LCP list of permitted uses for the project site includes various specialty retail uses, personal and professional services, and restaurant and entertainment uses. The previous permitted use of the site, a restaurant/banquet hall, was a visitor-serving commercial use.

The certified LCP (PD-4) does not list general office or brewery as a permitted use on the project site. The list of office uses permitted in PD-4 is very short, including only yacht broker, architect, oceanographic study and marine insurance, all of which are marine oriented uses that support public recreation opportunities in the marina. The applicants' proposed restaurant, tavern, and retail uses support or enhance public opportunities for coastal recreation in the marina consistent

with Section 30222 of the Coastal Act. The proposed conversion of banquet space to office and brewery space are not specifically permitted or prohibited by Planned Development District PD-4, but the City has approved all of the proposed uses as being consistent with Planned Development District PD-4. The applicant has stated that the proposed two offices on the first floor space are specific office space for the restaurant and brewery uses. Therefore, the proposed project does not include any general office uses or leasable office space that would be inconsistent with the certified LCP list of permitted uses in PD-4. The proposed on-site office and brewery does not conflict with the Chapter 3 policies of the Coastal Act or the certified LCP.

However, any change of use to that space to some other office use may not be consistent with the Chapter 3 policies of the Coastal Act and the certified LCP. Therefore, the Commission imposes **Special Condition #8** to the coastal development permit stating that future improvements including any intensification of use, change in use or other deviation from the approved plans shall be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

As conditioned, the proposed project will be maintained as a visitor-serving commercial use consistent with Section 30213 of the Coastal Act.

A question remains, however, whether the proposed office and brewery use is consistent with the terms and conditions of the Legislature's grant of the State Tidelands property to the City of Long Beach. The State Tidelands Grant limits the use of tidelands to uses that further the Public Trust. Visitor-serving commercial uses that currently exist in the Alamitos Landing shopping center, such as retail uses and restaurants, are consistent with the terms and conditions of the Legislature's grant of the State Tidelands. Other uses like office and residential uses may not be consistent with the terms and conditions of the Legislature's grant of the State Tidelands. In order to ensure that the proposed project, including all of the proposed uses, is consistent with applicable State Tidelands Grant, **Special Condition #1** requires the applicant to provide written documentation to the Executive Director demonstrating that the uses proposed in this application are consistent with the terms and conditions of the Legislature's grant of the property to the City of Long Beach. The applicant shall also demonstrate that the State Lands Commission staff concurs and agrees that the uses proposed in this application are consistent with the terms and conditions of the Legislature's grant of the property to the City of Long Beach. As conditioned, the proposed project is consistent with the Chapter 3 policies of the Coastal Act.

C. PUBLIC ACCESS

Section 30210 of the Coastal Act states in relevant part:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30212 of the Coastal Act states in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby,

Section 30252 of the Coastal Act states, in relevant part:

The location and amount of new development should maintain and enhance public access to the coast by

(4) providing adequate parking facilities

Parking

One of the basic goals of the Coastal act is to maximize public access to the coast. When private development does not provide adequate on-site parking, users of that development who arrive by automobile are forced to occupy public parking used by visitors to the coastal zone. Thus, all private development must provide adequate on-site parking to minimize adverse impacts on public access.

The parking for the proposed project is supplied by the 324 space public parking lot serving the entire Alamitos Bay Landing shopping center (per CDP 5-92-050-A1) adjacent to the Alamitos Bay Basin One Marina parking lot. The applicant provided a site survey identifying 304 parking spaces in the Alamitos Bay Landing public parking lot (240 standard, 57 compact, and 7 ADA compliant spaces) which differs by 20 fewer parking spaces than the 324 parking spaces previously identified in CDP 5-92-050-A1 approving expansion and modification of the 267 space parking lot serving the Seaport Village shopping center to 324 parking spaces. The existing parking lot will not be altered by the proposed development.

Parking requirements for development at the Alamitos Bay Landing are contained in Planned Development District PD-4, which is part of the certified LCP, as follows:

<u>Use</u>	<u>Parking per 1,000 sq. ft. of gross floor area</u>
Retail	4.0
Restaurant (Dining Areas)	10.0
Taverns	20.0
Dance Floor	25.0

For patio dining, the City uses a parking standard of five (5.0) spaces per 1,000 square feet of patio dining, which is half the rate required for indoor dining areas. The rate of five spaces per 1,000 square feet of patio dining is included in the commercial parking requirement table of certified LIP (Table 41-1C), but this reduced rate is not included in the parking table for PD-4.

The applicant asserts, and the City Planning Department has concurred, that the prior permitted restaurant/banquet hall uses in the existing 11,427 sq. ft. building generated higher parking demand than the resulting 17,088 sq. ft. structure after remodel into a restaurant/brewery. By eliminating the banquet hall space and substantially reducing the amount of tavern area, the applicant has designed a slightly larger structure (than the previous building) with a similar parking demand. According to the applicant, the proposed 17,088 sq. ft. remodeled structure, with its mix of restaurant, brewery, office and retail uses, would generate a parking demand of 78.2 parking spaces (**Exhibit #2, page#8**). However, using the parking standards set forth in the certified LCP for this area (PD-4), with no differentiation between indoor and outdoor dining, the parking requirement is 87.42 parking spaces, nine (9) additional parking spaces (8,742 sq. ft. dining area @ 10/1,000 sq. ft.).

In any case, proposed project has been designed to offset the additional parking demand generated by the seating area expansion with a reduction in the amount of banquet space that was part of the previous floor plan. On this basis, the parking demand is not expected to increase significantly. It is important that the parking demand does not increase significantly because the shopping center's parking lot already fills to capacity on busy weekends. The adjacent Alamitos Bay Marina parking lot typically receives the overflow parking from vehicles that cannot fit into the parking area provided for the shopping center.

In order to reduce the potential of the proposed project to adversely affect the ability of the public to access the marina, the applicant proposes and **Special Condition #5** requires, implementation of a Transportation Demand Management Program (TDM). The required TDM will include bicycle racks on the site for both employee and patron use, employer provided public transportation passes, carpooling incentives, and potentially, improved public transit to the area. Long Beach Transit Route 131 provides bus service and water taxi service to Alamitos Bay Landing. As conditioned, the proposed project will not result in adverse impacts to the Alamitos Bay Landing parking lot and the adjacent Alamitos Bay Marina parking supply.

Any change, however, in the balance of uses on the site could increase the demand for parking and cause an increase in the competition for the limited number of parking spaces in the marina. As increase in parking demand could have a negative effect on public access to the shoreline, the Commission imposes **Special Condition #8** requiring the applicant to obtain Commission approval for any future improvements at the site. Any proposed change in use or other deviation from the approved plans shall be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. Therefore, the Commission finds that the proposed project, as conditioned, has a sufficient parking supply to meet the parking demand and to protect access to the shoreline. The proposed project will not negatively impact coastal access and is consistent with Sections 30210, 30212, and 30252 of the Coastal Act.

Public Access to the Coast

One of the main tenets of the Coastal Act is the preservation and enhancement of coastal access. The waters of Alamitos Bay are located only a few feet west of the proposed structure (**Exhibit #1**). The certified City of Long Beach LCP protects the public's right to access the shoreline

along Alamitos Bay where the proposed project is located. Planned Development District PD- 4, which is part of the certified LCP reads:

"Pedestrian access shall be maintained along the water's edge of the marina and at marina channels at all locations where it exists at the time of adoption of this plan."

As proposed, the project is consistent with the certified LCP shoreline access requirement, Section 3021 0 of the Coastal Act, and Section 30212 of the Coastal Act which states, in part, that "public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects... " A public sidewalk already exists along the water's edge, between the project site and the waters of Alamitos Bay (**Exhibit #1**). The proposed project would not inhibit or interfere with the public's continued use of the existing sidewalk. Therefore, as proposed, the project is consistent with the public access policies of the Coastal Act and the certified LCP.

D. SCENIC AND VISUAL RESOURCES

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The overall roof height on the existing structure is 30' 6" plus there is an existing cupola reaching 44' – 7" in height. Similar architectural projections have been permitted by the City and the Commission exceeding the 35' height limit in the marina area as long as it does not negatively affect public views or visual resources. The existing cupola is not considered to have a negative impact on public views or visual resources and is in keeping with the "seaport village" character of the commercial center.

The applicant proposes to remodel of the existing structure, new signage attached to the existing structure (**Exhibit #2, page #7**); and addition of a new second story/roof top deck for outdoor patio dining with a tinted glass railing. The proposed finished floor of the new roof deck will be 22' 6" below existing roof height (refer to project elevations provided as **Exhibit #2, page #5**). The footprint of the structure will change slightly as the proposed roof deck will extend beyond the building footprint and be supported by a 36-in. diameter column. The column is proposed to also be an architectural feature designed to look like a fire tower 24' 6" high from the ground level finished floor, extending higher above the roof deck, but still within the 35' height limit. The proposed deck dining patio and its tinted glass railing will be constructed with see-through materials and does not exceed 5' high.

As proposed, the Commission finds that the development conforms to the scenic and visual protection policies of the Coastal Act.

E. RESOURCES

Section 30240(b) of the Coastal Act states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The proposed project is located near the south most corner of the Alamitos Bay Landing which is a triangular shaped site with Alamitos Bay to the north and west, the San Gabriel River to the south and east; a thin strip of land to the northeast connects the Alamitos Bay Landing to the mainland. The waters of Alamitos Bay are located only a few feet west of the proposed structure.

Tree Removal/Nesting Birds

The proposed project is located near the south most corner of the Alamitos Bay Landing which is a triangular shaped site with Alamitos Bay to the north and west, the San Gabriel River to the south and east; a thin strip of land to the northeast connects the Alamitos Bay Landing to the mainland. The waters of Alamitos Bay are located only a few feet west of the proposed structure.

The proposed remodel of the existing structure will slightly change the footprint of the existing structure, as the proposed roof deck patio dining area will extend beyond the building footprint and be supported by a 36-in. diameter column. To accommodate the construction of the proposed roof deck patio, the applicant proposes expanding into a landscaped area which would require removal of two mature pine trees. Though non-native, pine trees adjacent to coastal waters have been known to support heron and egret nesting and roosting. The complete removal of one or two trees that support heron and egret nesting and roosting is considered removal of major vegetation (CCC-06-CD-12).

The pine trees are tall and provide the safe distance the birds need from predation and disturbance, and have dense foliage that offers camouflage and protection from predation. The two pine trees located on the subject property may be an important natural resource providing necessary ecological services for local southern California heron and egret populations, which, in turn, are critical to the healthy functioning of the nearby wetlands. Southern California wetlands are experiencing pressure from a number of fronts including loss of native species, loss of area due to development, invasive species, and pollution. Herons and egrets are critical members of wetland ecosystems and their roosting and nesting colonies provide very important ecosystem functions. Stands of trees such as the ones on the subject property are an important natural resource and may provide necessary ecological services for local southern California heron and egret populations. It is likely that the reason herons and egrets establish nests and roost in pines, as they are doing in non-native tree stands in other parts of coastal southern California such as

Ventura Harbor, Marina del Rey Harbor, Huntington Harbor, and other areas in Long Beach, is a lack of suitable nesting and roosting areas in remaining local wetlands.

The trees on the subject site have not yet been surveyed. Due to the likeliness that birds may use these pine trees to nest or roost, in order to prevent any possible harm to sensitive species, the Commission imposes **Special Condition #4** requiring the applicant to conduct a nesting bird survey prior to commencement of construction at the site. No tree trimming, tree removal, demolition, or construction activity is permitted until the Executive Director reviews the breeding behavior and nesting survey and determines that the proposed development will not adversely affect any bird nests or breeding behavior. The development shall not proceed if a nest is found or any evidence of courtship or nesting behavior is observed in the trees at the site. The development may proceed when the Executive Director concurs with the opinion of a qualified biologist or ornithologist that the nest(s) is/are naturally vacated, and juveniles have fledged without human or mechanical interference, and there is no longer evidence of any further attempt(s) at nesting. The Commission finds that the proposed project, only as conditioned, will not negatively impact environmentally sensitive habitat areas and is consistent with Section 30240(b) of the Coastal Act.

Bird Strike Hazard

The proposed project also includes construction of a new second story roof deck with a glass railing. Due to the location of the tempered glass screenwall/deck railing there is a substantial risk of bird strikes to the screenwall. Glass walls are known to have adverse impacts upon a variety of bird species. Birds are known to strike glass walls causing their death or stunning them which exposes them to predation. Some authors report that such birds strikes cause between 100 million to 1 billion bird deaths per year in North America alone. Birds strike the glass because they either don't see the glass, or there is some type of reflection in the glass which attracts them (such as the reflection of bushes or trees that the bird might use for habitat). Some type of safety railing is typically required for decks and balconies along waterfronts. The plans submitted denote a 4' tinted glass railing/screenwall along the edge of the second story deck (**Exhibit #2, page #5**). However, to ensure protection to coastal avian species, **Special Condition 3** requires the applicant submit final revised plans showing greater railing details addressing bird strike issues, necessary to protect against significant disruption of habitat values.

Therefore, the Commission finds that the development, as proposed and as conditioned does not pose significant adverse impacts to which would significantly degrade habitat and recreation areas and is compatible with the continuance of those areas consistent with Section 30212 of the Coastal Act.

F. MARINE RESOURCES/WATER QUALITY

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy

populations of all species of marine organisms adequate for longterm commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project is located immediately adjacent to the coastal waters of Alamitos Bay and near the San Gabriel River Estuary (**Exhibit #1**). The standard of review for the proposed development is the Chapter 3 policies of the Coastal Act, including the aforementioned marine resource policies.

The proposed project poses a potential source of pollution due to contaminated runoff generated at the site during construction phase and from the proposed restaurant use and surrounding parking lot. Runoff from the site would enter the City's storm drain system and would ultimately be discharged into the marine environment. In addition, grease from the proposed restaurant could contribute to sewer blockages. Sewer blockages have resulted in sewer spills which have reached and polluted the marine environment. To mitigate potential impacts to marine resources caused by polluted runoff leaving the site, **Special Condition #7** requires the applicant incorporate best management practices (BMPs) into the project and site management procedures to reduce or prevent contaminants from running off the site and impacting nearby coastal waters. Additionally, **Special Condition #6** requires the implementation of BMPs to prevent adverse impacts to the marine resources of Alamitos Bay and the San Gabriel River during the construction phase of the proposed project.

As conditioned, the proposed project is consistent with past Commission action regarding water quality requirements and will minimize water quality impacts. The Commission, therefore, finds that as conditioned, the development will be consistent with Section 30230 and 30231 of the Coastal Act.

G. HAZARDS

Section 30253 of the Coastal Act states, in part:

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The proposed project is located on filled tidelands on the shore of Alamitos Bay. Development located near the ocean has the potential for damage caused by wave energy, floods, seismic events, storms and erosion. The Commission routinely imposes conditions for assumption of risk in areas at high risk from hazards. The condition ensures that the permittees understand and assume the potential hazards associated with development in or near the water. Therefore, **Special Condition #9** requiring the applicant acknowledge and agree that the site may be subject to coastal hazards and waives any claim of damage or liability against the Commission. Only as conditioned, is the proposed project consistent with Section 30253 of the Coastal Act.

H. LOCAL COASTAL PROGRAM

Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a coastal development permit from the Commission. The proposed project is situated on filled tidelands within the Commission's area of original permit jurisdiction. Therefore, a coastal development permit must be obtained from the Commission. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance. The City of Long Beach LCP was certified by the Commission on July 22, 1980.

The LCP includes standards (Planned Development District PD-4) which address development in the Alamitos Bay Marina. These standards include the previously mentioned parking standards, public access protections and building height limit. The proposed project, as conditioned, complies with the policies of the LCP and the Coastal Act.

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Long Beach is the lead agency for purposes of CEQA compliance. As determined by the City, this project is statutorily exempt from CEQA. As such, the project is exempt for CEQA's requirements regarding consideration of mitigation measures and alternatives. The Commission, however, has conditioned the proposed project in order to ensure its consistency with Coastal Act requirements regarding public access and resource protection. These special conditions are: 1) consistency with State Tidelands Grant; 2) landscaping; 3) bird strike hazard; 4) tree removal; 5) transportation demand management plan; 6) construction best management

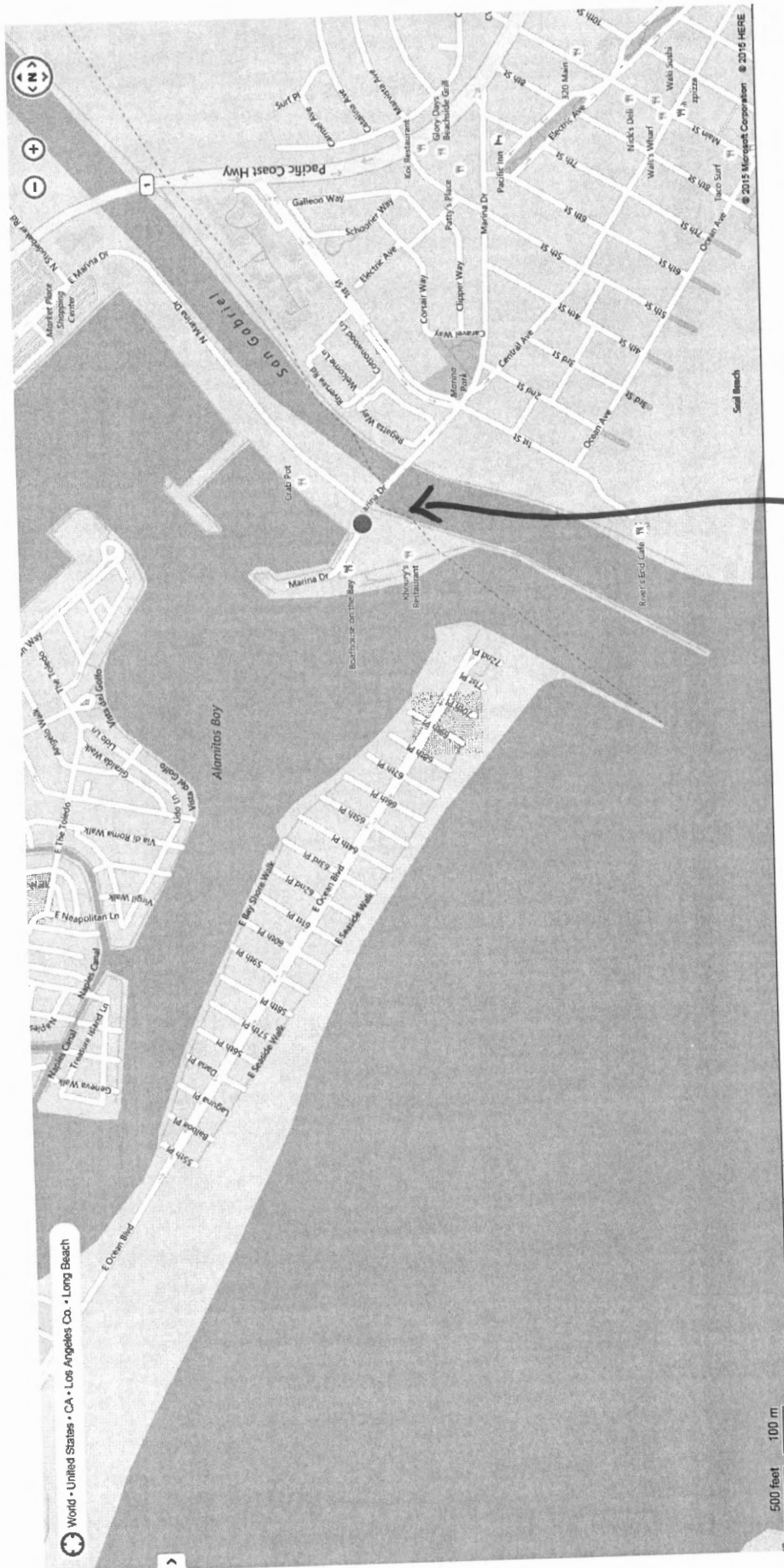
practices; 7) protection of marine resources/water quality; 8) future improvements; and 9) assumption of risk, waiver of liability and indemnity.

There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the project would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

- 1) City of Long Beach Certified Local Coastal Program (PD-4)
 - 2) City of Long Beach Conditional Approval No. 1506-07, dated July 22, 2015.
 - 3) BANCAP Parking Spaces Available to Alamitos Bay Landing, Parking Study dated 5/21/15.
 - 3) CDP 5-92-050, 5-92-050-A1, and 5-92-050-A2 (City of Long Beach Department of Parks, Recreation and Marine); CDP 5-01-275 and 5-01-275-A1 (BANCAP Seaport Village Inc. and City of Long Beach)
-



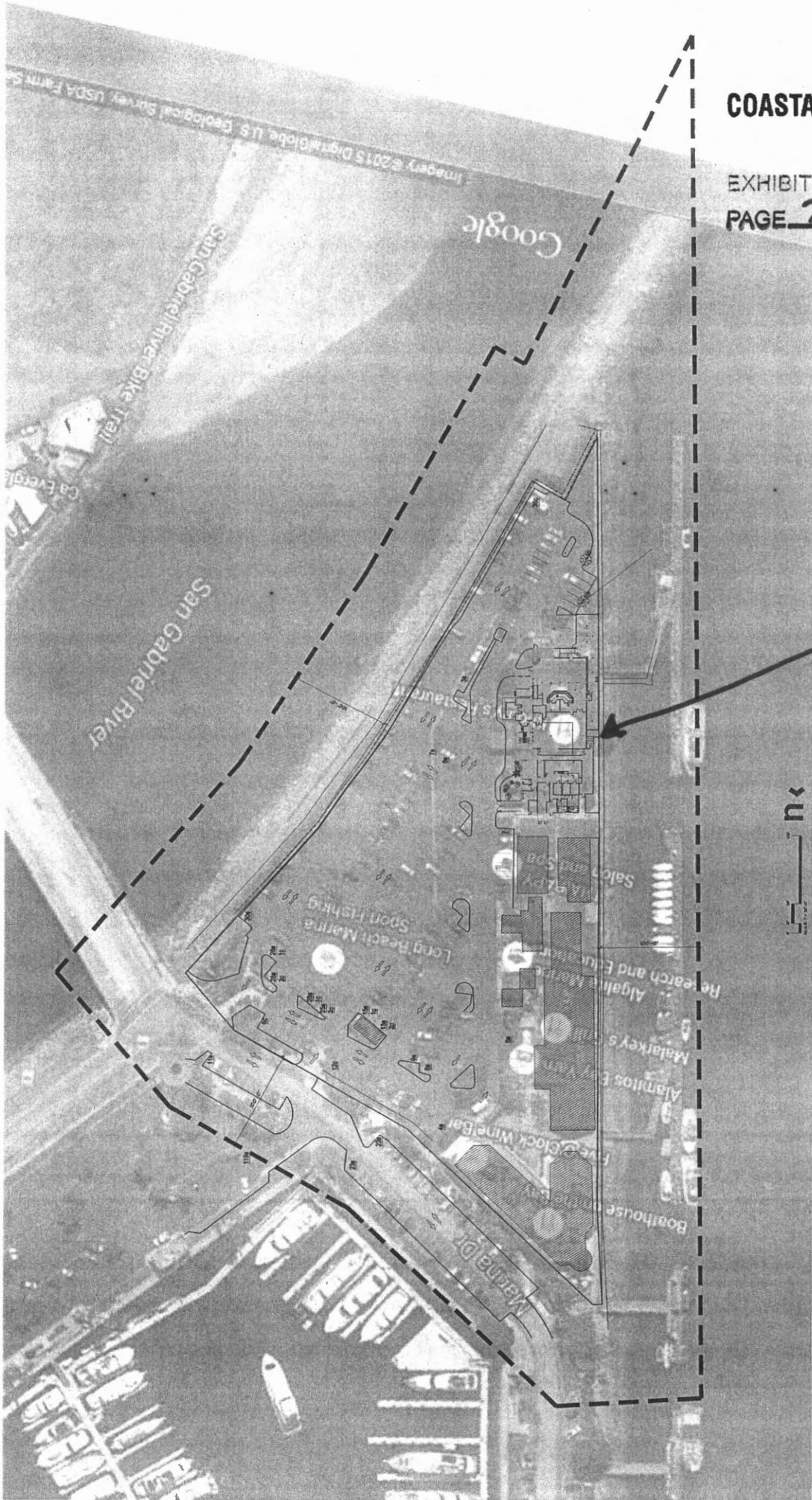
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110 Marina Drive
Long Beach

COASTAL COMMISSION

EXHIBIT # 1
PAGE 1 OF 3

COASTAL COMMISSION

EXHIBIT # 1
PAGE 2 OF 3



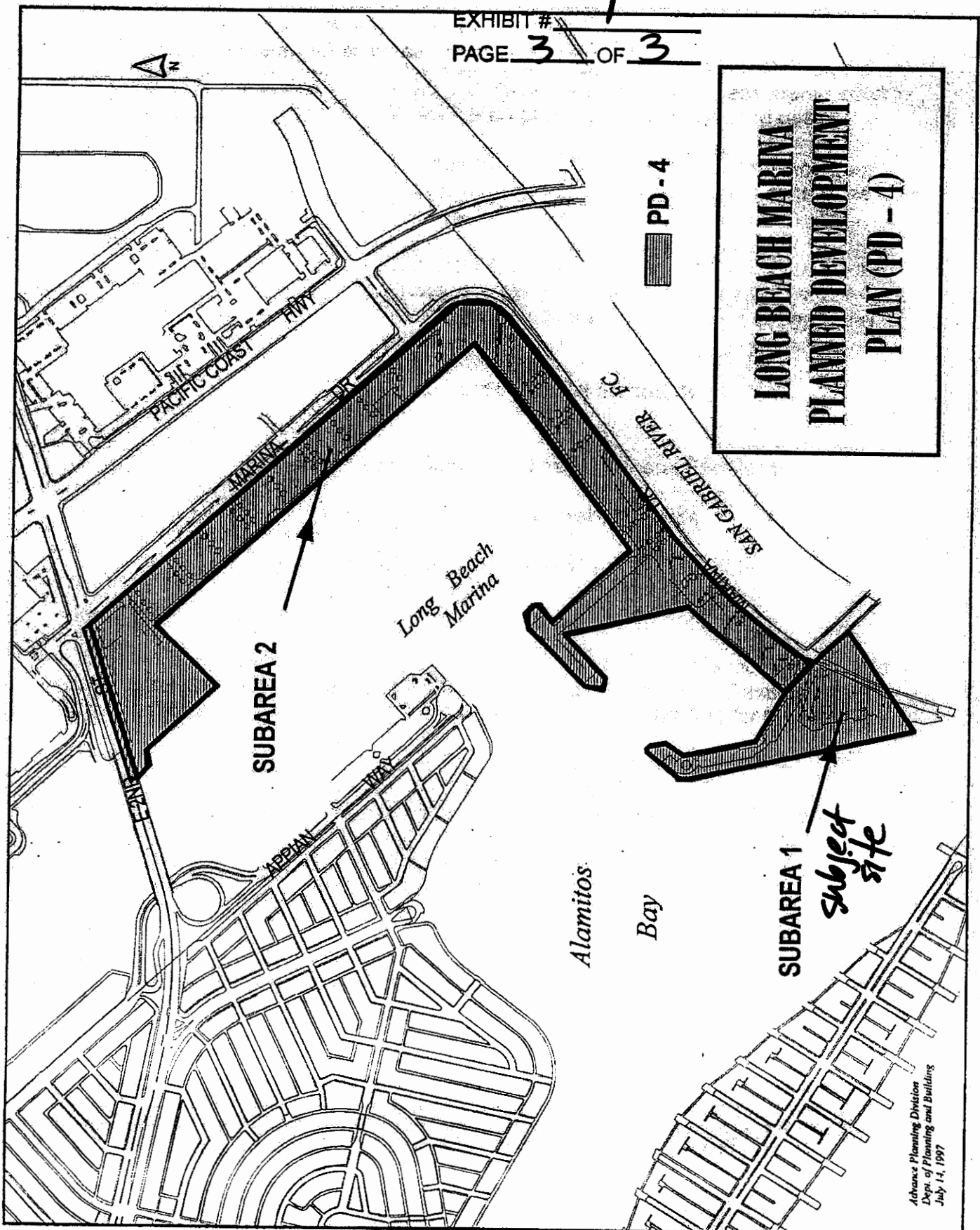
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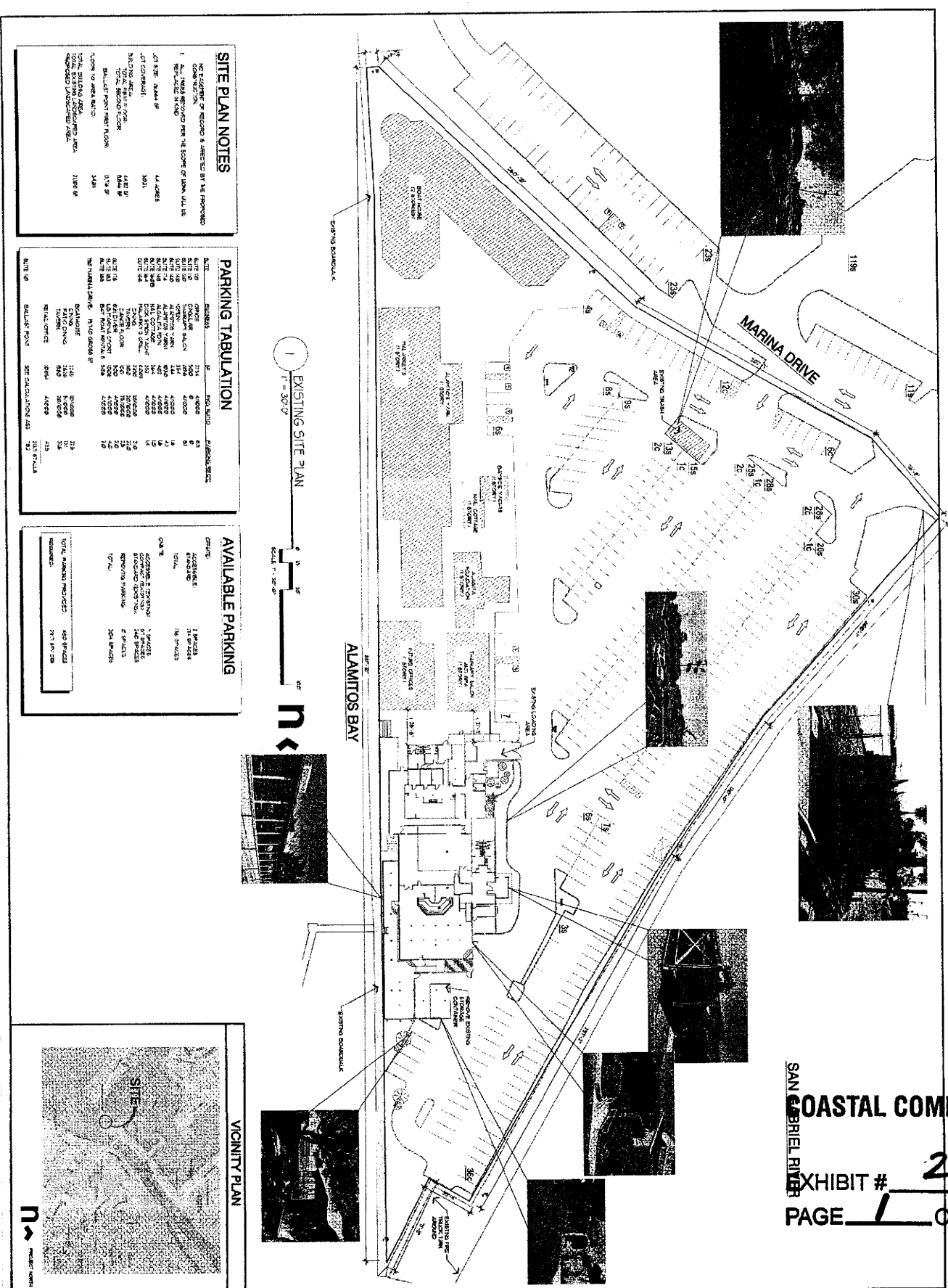
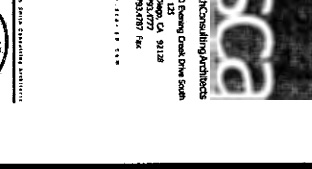
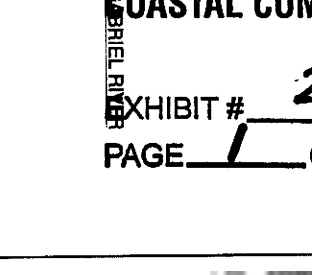
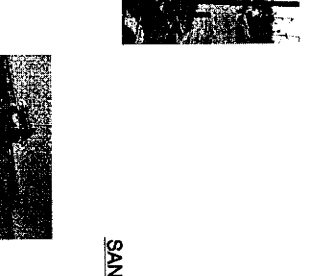
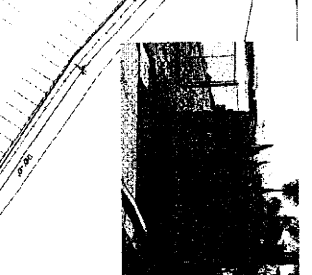
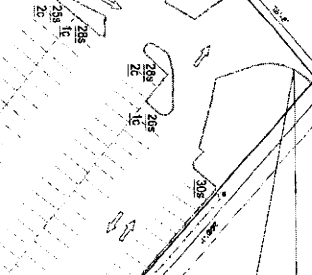
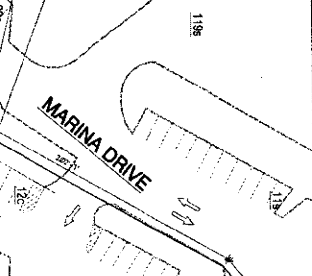
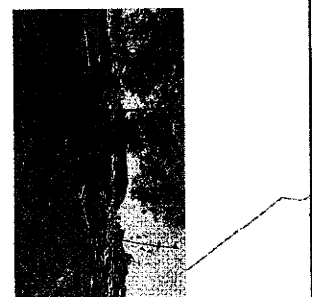
Ballast Point - 100' Property Line

COASTAL COMMISSION

EXHIBIT # 1
PAGE 3 OF 3

**LONG BEACH MARINA
PLANNED DEVELOPMENT
PLAN (PD - 4)**





SITE PLAN NOTES

NO EXISTING OR RECORDS ARE AFFECTED BY THE PROPOSED CONSTRUCTION. ALL UTILITIES SHALL BE DELETED OR RELOCATED PER THE SCOPE OF WORK. ALL UTILITIES SHALL BE RELOCATED TO THE SIDE OF THE ROAD. ALL UTILITIES SHALL BE RELOCATED TO THE SIDE OF THE ROAD. ALL UTILITIES SHALL BE RELOCATED TO THE SIDE OF THE ROAD.

PARKING TABULATION

NO.	DESCRIPTION	AREA (SQ. FT.)	NO. OF SPACES	REMARKS
1	EXISTING	10,000	100	
2	NEW	10,000	100	
3	TOTAL	20,000	200	

AVAILABLE PARKING

NO.	DESCRIPTION	AREA (SQ. FT.)	NO. OF SPACES	REMARKS
1	EXISTING	10,000	100	
2	NEW	10,000	100	
3	TOTAL	20,000	200	

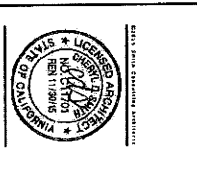
VICINITY PLAN

SAN GABRIEL RIVER COASTAL COMMISSION
 EXHIBIT # 2
 PAGE 1 OF 8

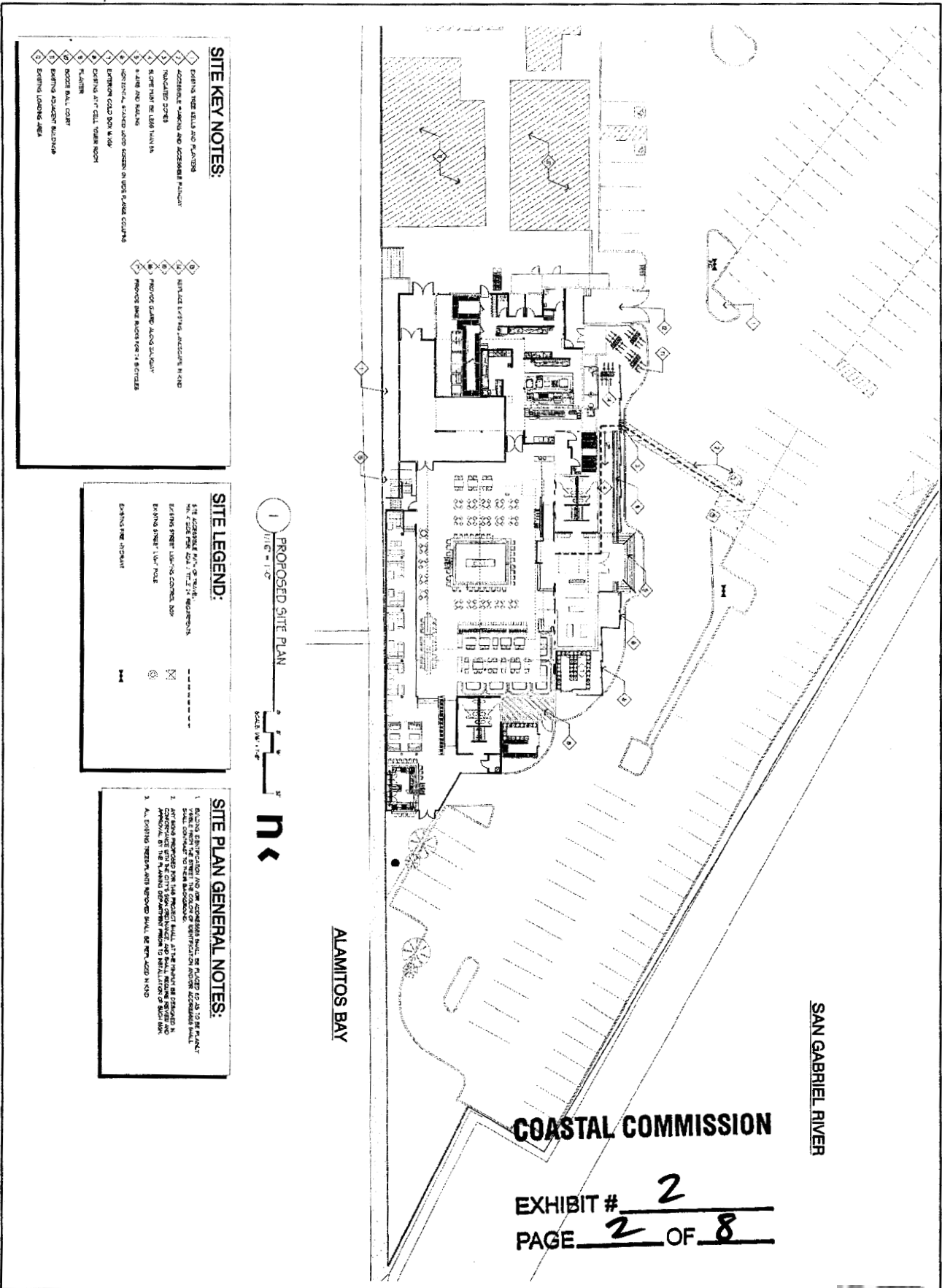
AS1

Revision Dates: _____
 Issue Dates: _____
 Prepared By: _____
 Checked By: _____
 Drawn By: _____
 Date: _____

BALLAST POINT
 TENANT IMPROVEMENTS
 110 MARINA DRIVE
 LONG BEACH, CA 90803



SCS
 Strategic Consulting Services
 13540 Koenig Street, Suite 100
 Long Beach, CA 90803
 562.593.0777
 562.593.0778
 562.593.0779



- SITE KEY NOTES:**
- 1. EXISTING TREE STILLS AND PLANTINGS
 - 2. ACCESSIBLE WALKWAY AND ACCESSIBLE PARKING
 - 3. EXISTING DRIVEWAY
 - 4. EXISTING DRIVEWAY
 - 5. EXISTING DRIVEWAY
 - 6. EXISTING DRIVEWAY
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 - 17. EXISTING DRIVEWAY
 - 18. EXISTING DRIVEWAY
 - 19. EXISTING DRIVEWAY
 - 20. EXISTING DRIVEWAY

- SITE LEGEND:**
- 1. SITE ACCESSIBLE WALKWAY
 - 2. EXISTING DRIVEWAY
 - 3. EXISTING DRIVEWAY
 - 4. EXISTING DRIVEWAY
 - 5. EXISTING DRIVEWAY
 - 6. EXISTING DRIVEWAY
 - 7. EXISTING DRIVEWAY
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 - 16. EXISTING DRIVEWAY
 - 17. EXISTING DRIVEWAY
 - 18. EXISTING DRIVEWAY
 - 19. EXISTING DRIVEWAY
 - 20. EXISTING DRIVEWAY

- SITE PLAN GENERAL NOTES:**
1. ALL EXISTING DRIVEWAYS AND WALKWAYS SHALL BE MAINTAINED AS SHOWN UNLESS OTHERWISE NOTED.
 2. ALL EXISTING DRIVEWAYS AND WALKWAYS SHALL BE MAINTAINED AS SHOWN UNLESS OTHERWISE NOTED.
 3. ALL EXISTING DRIVEWAYS AND WALKWAYS SHALL BE MAINTAINED AS SHOWN UNLESS OTHERWISE NOTED.

1 PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"
 N

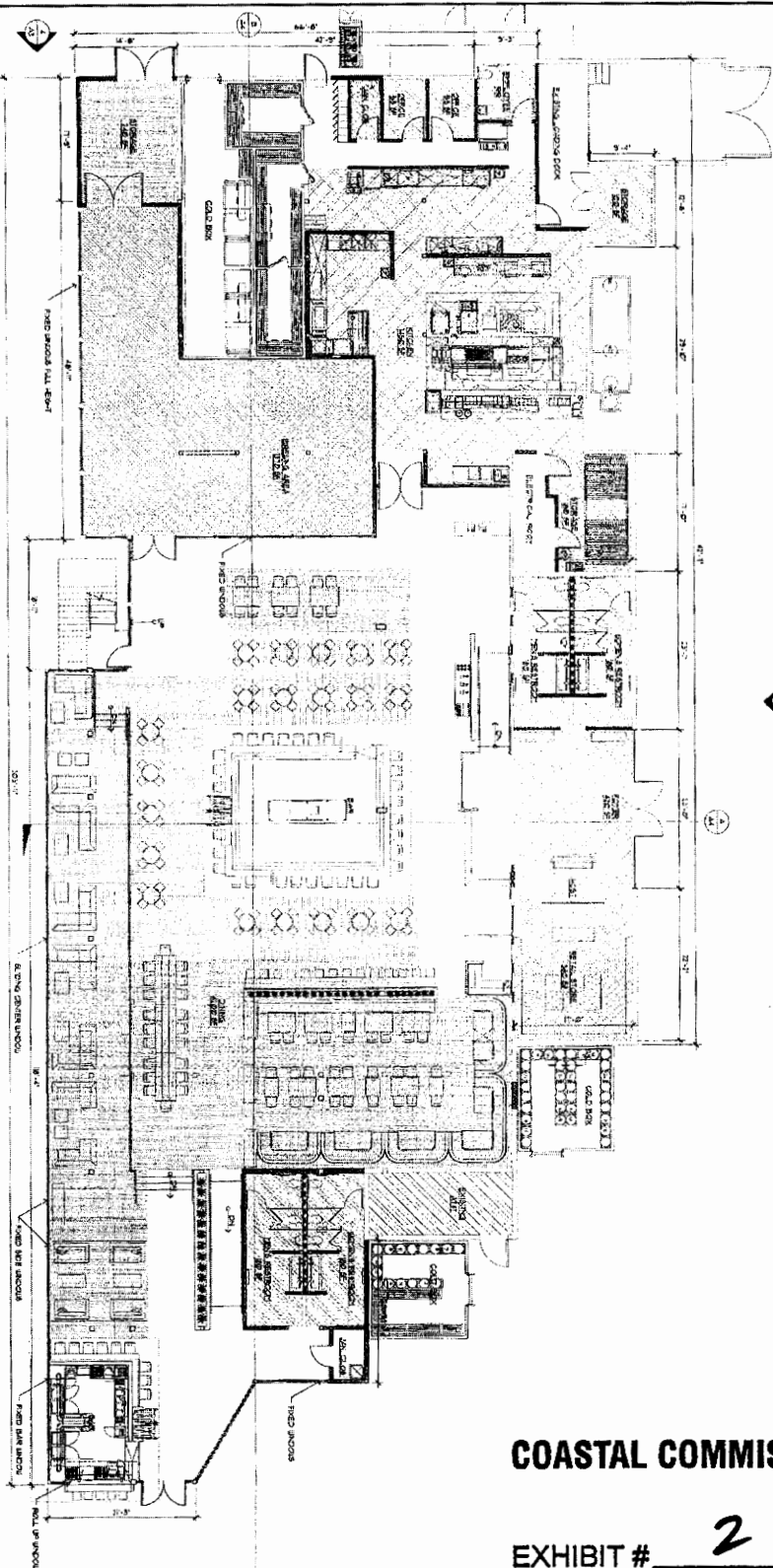
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3	7.30.2015	Scott Chinn	Scott Chinn
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5	7.30.2015	Scott Chinn	Scott Chinn
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7	7.30.2015	Scott Chinn	Scott Chinn
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15	7.30.2015	Scott Chinn	Scott Chinn
16	7.30.2015	Scott Chinn	Scott Chinn
17	7.30.2015	Scott Chinn	Scott Chinn
18	7.30.2015	Scott Chinn	Scott Chinn
19	7.30.2015	Scott Chinn	Scott Chinn
20	7.30.2015	Scott Chinn	Scott Chinn

BALLAST POINT
 DEDICATED TO THE CRAFT
 TENANT IMPROVEMENTS
 110 MARINA DRIVE
 LONG BEACH, CA 90803



11001 E. Highway 90, Long Beach, CA 90803
 Phone: (562) 438-1100
 Fax: (562) 438-1101
 Website: www.ballastpoint.com

AS2



1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



COASTAL COMMISSION

EXHIBIT # 2
PAGE 3 OF 8

Revision Dates	

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General Commission	1.4.8
Plan Check	
Bid Set	
Permit Set	
Construction Set	
Issuing Date	7/20/05

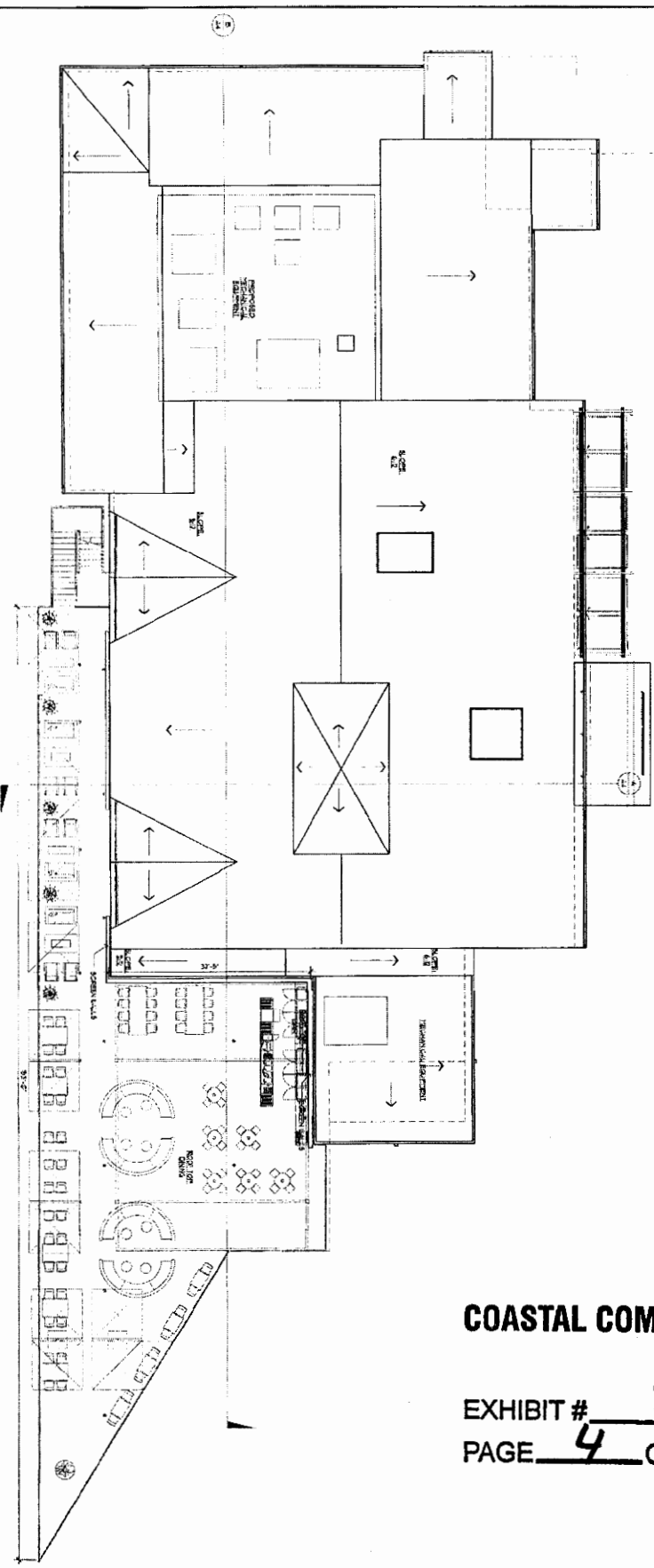
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Drawn By	Dina Tull
Scale	SEE PLAN
Job Number	120157
Sheet Number	

A1

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SOUTHERN OVERSEAS CONTRACTORS
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Santa Monica, CA 90405
(310) 592-6777
www.soc.com



1 ROOF PLAN
 1/16" = 1'-0"
 SCALE: 1/16" = 1'-0"
 N

COASTAL COMMISSION

EXHIBIT # 2
 PAGE 4 OF 8

Revision Dates	
Issue Dates	
Planning	6-1-4
Coastal Commission	5-5-8
Permit Check	
Permit Set	
Construction Set	
Opening Date	7.30.2015
Check By	Scott Cline
Drawn By	Dave Tvd
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Sheet Number	



TENANT IMPROVEMENTS
 110 MARINA DRIVE
 LONG BEACH, CA 90803



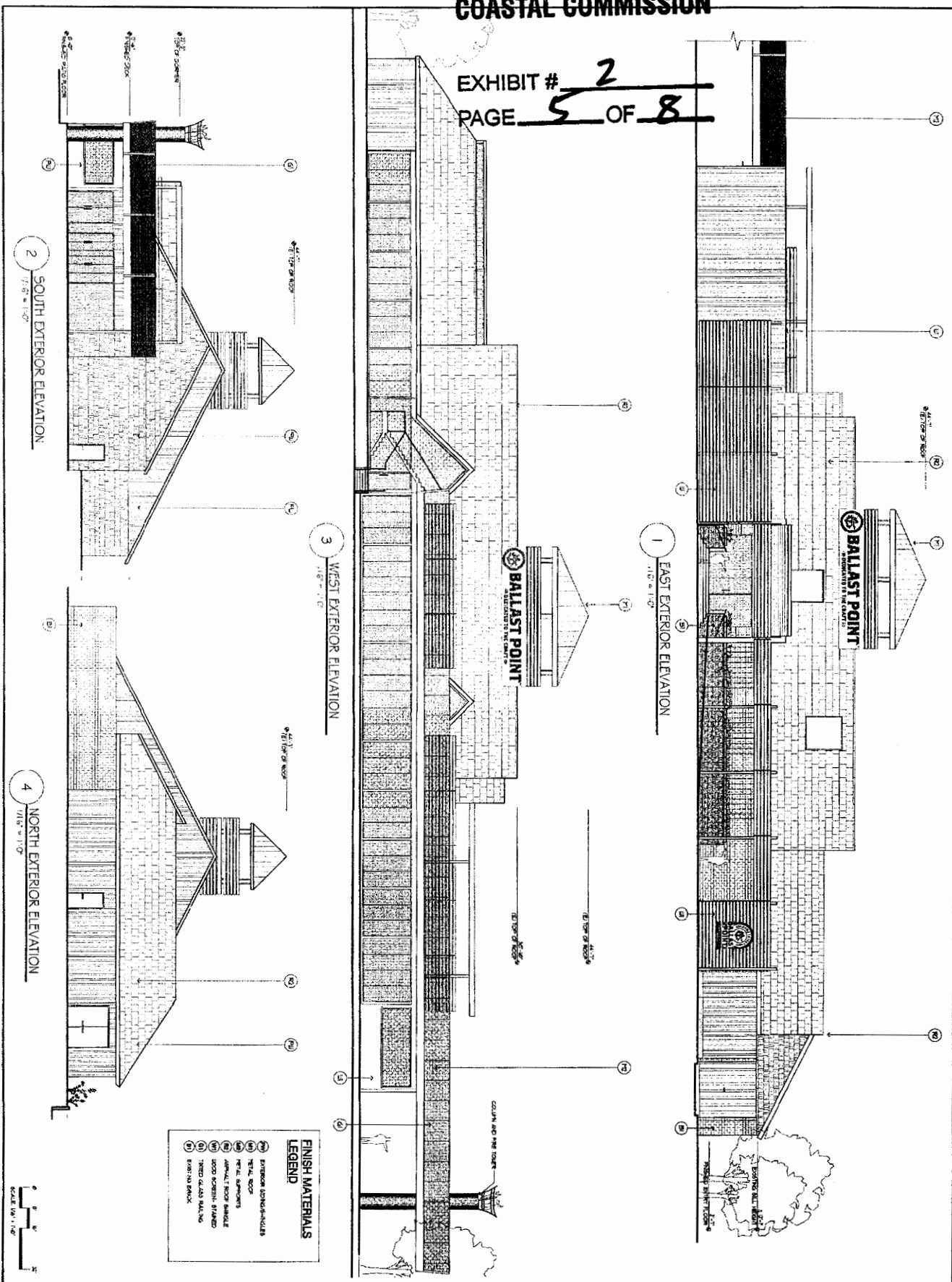
11285 Gateway Center Drive South
 San Diego, CA 92138
 619.479.0777 Fax
 619.479.0787 Web
 www.davis.com



A2

COASTAL COMMISSION

EXHIBIT # 2
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FINISH MATERIALS LEGEND

(A)	EXTERIOR CORNER/COLUMNS
(B)	TERAZZO
(C)	SPALL/STONE MASONRY
(D)	WOOD SCREEN/SLATED
(E)	TRIM/CLASS WALLS
(F)	EXTERIOR BRICK



A3

Revision Dates	
Scale	SEE PLAN
Job Number	150157
Sheet Number	
Drawn By	Scott Carr
Checked By	Scott Carr
Design Date	7/30/2015
Project Name	COASTAL COMMISSION
Client Name	COASTAL COMMISSION
Project Address	110 MARINA DRIVE, LONG BEACH, CA 90803
Project Description	TENANT IMPROVEMENTS
Contract Number	
Contract Date	
Contract Value	
Contract Status	
Contract Owner	
Contract Architect	
Contract Engineer	
Contract Contractor	
Contract Subcontractor	
Contract Supplier	
Contract Material	
Contract Equipment	
Contract Labor	
Contract Other	

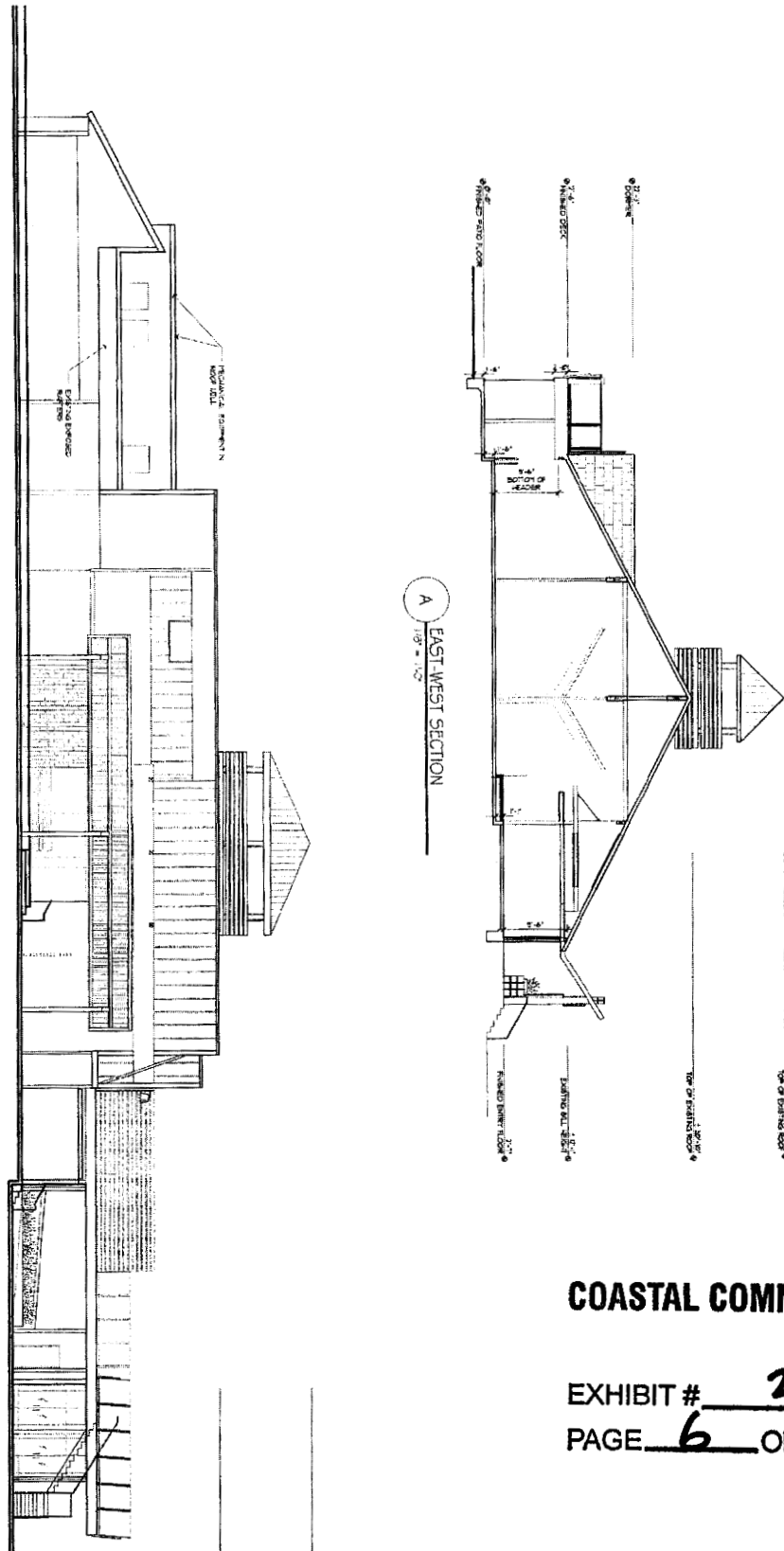
BALLAST POINT
DEDICATED TO THE CRAFT

TENANT IMPROVEMENTS
110 MARINA DRIVE
LONG BEACH, CA 90803



SCC

Structural Consulting & Construction
11281 Newing Court, Suite 100
San Diego, CA 92128
619.451.0177 Fax
619.451.0178

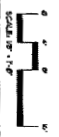


(B) NORTH-SOUTH SECTION
1/8" = 1'-0"

(A) EAST-WEST SECTION
1/8" = 1'-0"

COASTAL COMMISSION

EXHIBIT # 2
PAGE 6 OF 8



Revision	Date

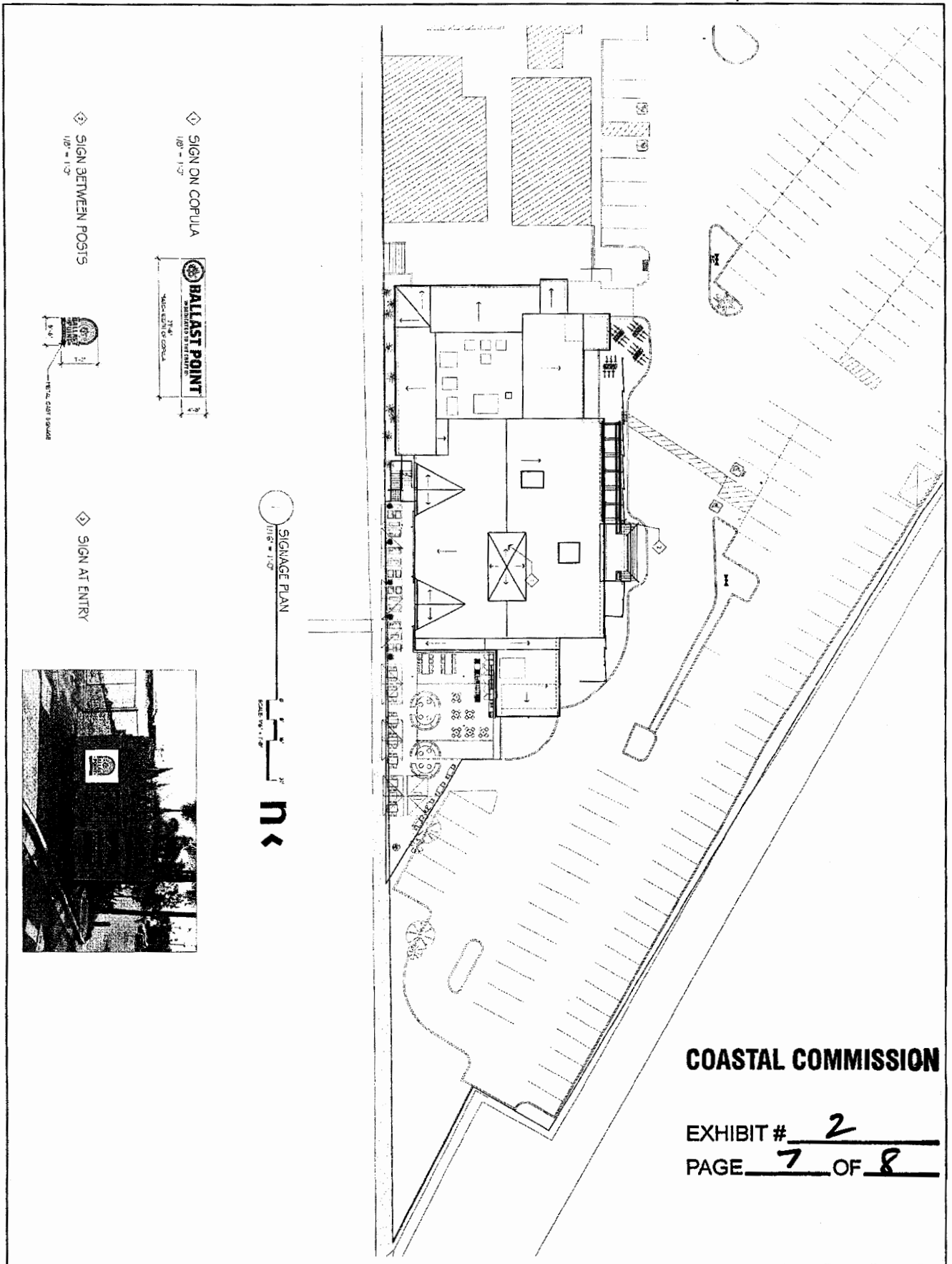


TENANT IMPROVEMENTS
110 MARINA DRIVE
LONG BEACH, CA 90803



San Diego Office
1400 Camino del Rio South
San Diego, CA 92108
619.591.8777 Fax
619.591.8811 Tel

A4



COASTAL COMMISSION

EXHIBIT # 2
PAGE 7 OF 8

Revision Dates	
Scale	1/8" = 1'-0"
Author	
Checker	
Designer	
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BALLAST POINT
DEDICATED TO THE CRAFT®

TENANT IMPROVEMENTS
110 MARINA DRIVE
LONG BEACH, CA 90803



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SignCrafting/Architects
1328 Leving Drive, Suite 200
Long Beach, CA 90803
Tel: 562.592.0777
Fax: 562.592.0777

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PLANNED DEVELOPMENT FOR LONG BEACH MARINA (PD-4)

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Ordinance History: C-5561, 1980; C-5666, 1980; C-5722, 1981; C-5770, 1981; C-6151, 1985; C-6355, 1987; C-6585, 1989; C-7202, 1994; C-7794, 2002.

The intent of the Planned Development Plan is to provide a set of land use regulations for the Long Beach Marina. This is a unique area and facility. Such factors make the established Zoning Regulations inappropriate in this location. The area is also of sufficient interest to the surrounding community, including all the abutting areas in the SEADIP Planned Development Plan to warrant public review of each development proposal. A map of the Long Beach Marina Planned Development district is attached hereto as Exhibit "A" and incorporated herein by this reference.

In reviewing and approving site plans and tract maps for the development of the area, the City Planning Commission shall be guided by the goals and policies of the General Plan and the General Development and Use Standards specified herein. The Commission shall not permit variance from those standards unless it finds that such variance meets the intent of the original standards and is consistent with the overall goals and objectives of the adopted Local Coastal Plan.

Any variance from those standards shall only be allowed if the following finding of fact is made: The variation will have no adverse affect on access along the shoreline including physical, visual or psychological characteristics of access.

GENERAL DEVELOPMENT AND USE STANDARDS

- A. Uses. To be described in development and use standards for individual subareas.
- B. Access.
 - 1. Vehicular access to all parking facilities shall be from Marina Drive.
 - 2. Pedestrian access shall be maintained along the water's edge of the marina and at marina channels at all locations where it exists at the time of adoption of this plan.
- C. Building Design.
 - 1. Style. All new buildings shall be appropriately designed so as to be consistent with a coastal oriented design motif.
 - 2. Height. No building shall exceed thirty-five feet (35') in height.

- 3. Restrooms. The remodeling and/or additions to the restroom facilities shall be subject to design review. Separate restroom facilities for the public shall be added at each location.

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D. Parking.

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- 1. Commercial:

New Construction Use	Parking per 1,000 square feet of Gross Floor Area
Retail	4.0
Restaurants (Dining Areas)	10.0
Taverns (Including Tavern Areas in Restaurants)	20.0
Dance Hall, Entertainment Lounge Areas, Restaurant Lobby Areas	25.0

- 2. New use of existing commercial buildings. All new uses shall be required to provide the same parking as new construction; however, each new use shall be credited with the parking that is required of the existing uses.
- 3. Marina parking. Not less than 0.75 parking spaces per boat slip shall be maintained for non-commercial use boat slips and not less than one (1) space for each three (3) seats of passenger capacity for commercial boat uses operating as excursions, fishing trips, cruises, and harbor or bay tours.
- 4. Joint use. Joint use of parking spaces is to be encouraged.
- 5. Unless otherwise specified, all development shall comply with the off-street parking and loading provisions of Chapter 21.41 of the Zoning Regulations.

The parking of recreational vehicles and unattached trailers shall be consistent with Marine Bureau policy.

- E. Landscaping. Prior to approval of any new construction, landscaping plans for the new construction designed to harmonize with the existing landscaping shall be provided for review and approval.

Existing berms, seating cutouts, and trees shall be maintained. A landscape theme shall be developed for Marina Drive that includes new palm trees, shrubs, vines, and accent lighting. The existing fence along Marina Drive will be removed and/or replaced with a better fence product. Prior to any major landscape improvements, a landscape Master Plan shall be submitted for review and approval.

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SPECIFIC DEVELOPMENT AND USE STANDARDS

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Subarea 1.

This area is located in the southwesterly portion of the P.D. This area extends southward from Marina Drive where it becomes an east/west roadway and bridges the San Gabriel River and includes the mole road extension of Marina Drive which forms the southwestern border of Basin 1. This subarea is intended to maintain the existing specialty shopping area.

A. Uses.

1. Principal uses. Commercial:

a. Retail sales.

- (1) Bakery, donuts, pastries.
- (2) Book store.
- (3) Cards, gifts, novelties and stationery.
- (4) Clothing store.
- (5) Florist, plant shop.
- (6) Chandlery.
- (7) Gourmet foods.
- (8) Fish market.
- (9) Delicatessen.
- (10) Photographic equipment and supplies, telescopes and the like.
- (11) Art gallery.

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- (12) Coin or stamp shop.
- (13) Jewelry store.
- (14) Bicycle shop.
- (15) Sport goods store, fishing equipment.
- (16) Hobby shop.
- (17) Tobacconist.
- (18) Toy store.
- (19) Candy store, ice cream, yogurt.

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b. Personal Services.

- (1) Uses accessory to retail sales.

c. Professional Services.

- (1) Yacht Broker.
- (2) Architect.
- (3) Artist studio.
- (4) Oceanographic study office.
- (5) Marine insurance.
- (6) On upper floors only, tenant occupied offices for management of leasehold premises.

d. Financial Services.

- (1) Automatic teller machine.

e. Restaurants and Taverns.

- (1) Restaurants without drive-up windows.
- (2) All taverns.

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f. Entertainment Services.

- (1) Restaurants or taverns with dancing.
- (2) Boat rental.
- (3) Boat cruises, charters or excursions.
- (4) Restaurants or taverns with live entertainers, including dinner theater.

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g. Hotel/Inn.

A hotel or inn use is restricted to the southern most end of Subarea 1 in the "Alamitos Bay Landing" center and is limited to a development of fifty (50) rooms or less.

2. Conditional Uses. Hall rentals, subject to findings required for approval of Conditional Use Permits in Title 21 of the Long Beach Municipal Code.
3. Accessory Uses. Dancing and entertainment cafe uses shall be permitted as accessory to restaurant and tavern uses.
4. Prohibited Uses. Transient residential use (including motels and boatels).
5. Interim Uses. All other retail sales uses other than those permitted as principal uses under Subsection a.1.A, all other personal services uses other than those permitted as principal uses under Subsection a.1.B, all other financial services uses other than those permitted as principal uses under Subsection a.1.D, may be permitted as Interim Uses provided that the following standards are met:
 - a. The lease space has been vacant for 180 days or more and the lessee has made a reasonable effort to lease the property to primary permitted uses;
 - b. In order to ensure that the primary permitted uses maintain long term accessibility in the center, the term of the lease may not exceed five years;
 - c. Not more than twenty-five percent (25%) of the net leasable area of the Alamitos Bay Landing may be leased for secondary permitted uses at any given time.

6. Access. Same as General Standards.
7. Building Design. Same as General Standards.
8. Parking. Same as General Standards.
9. Landscaping. Same as General Standards.

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Subarea 2.

This area is the area that is backed up to Long Beach Marina and is located seaward of Marina Drive to the water's edge from the northern edge of the J.H. Davies Bridge. This subarea is intended to preserve the necessary support facilities for the Marina.

A. Uses.

1. Primary Use. Marina parking.
2. Other Marina supporting permitted principal uses:
 - a. Yacht brokerage
 - b. Boat rentals.
 - c. Boat repairs.
 - d. Chandlerys.
 - e. Sports equipment (sales and/or rental).
 - f. Not more than five restaurants.
 - g. Oil drilling in boat yard abutting J.H. Davies Bridge.
3. Accessory Uses. Dancing and entertainment cafe uses as accessory uses for restaurants.
4. Prohibited Uses.
 - a. Hotels, motels, boatels, or any other form of transient housing.
 - b. Fast food restaurants.

- c. Storage of recreational vehicles and unattached trailers. Administrative relief from this regulation can be obtained if approved by the Marine Bureau.

- B. Access. Same as General Standards.

- C. Building Design. Same as General Standards.

- D. Parking. Same as General Standards.

- E. Landscaping. Same as General Standards.

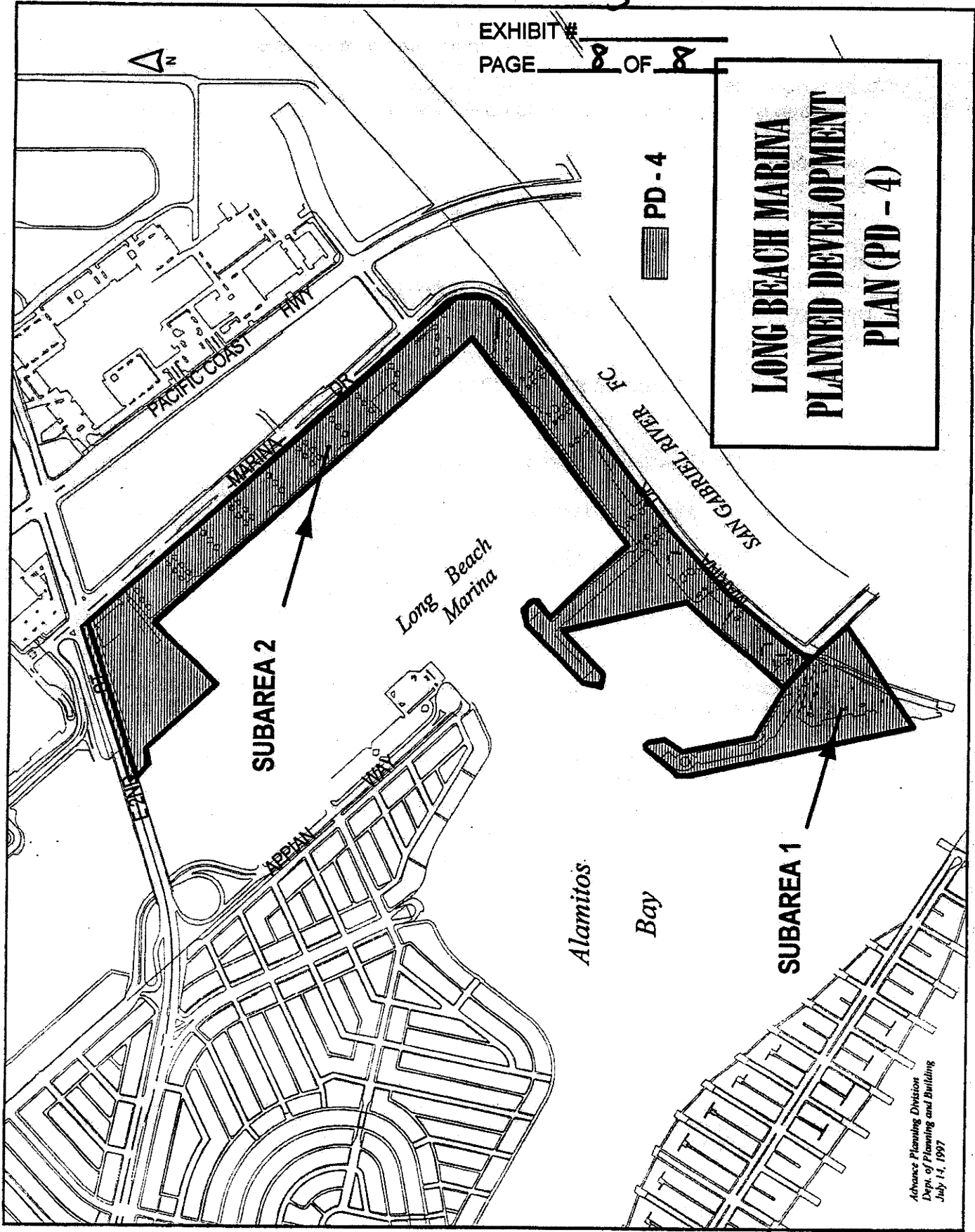
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The Planning Bureau provides this information for reference and the convenience to the public. The adopted ordinance, together with any amendment thereto, is in the possession of the City Clerk and should be reviewed and considered prior to making any land use decisions. Information contained herein is subject to change without notice as a result of updates, corrections or amendments.

**LONG BEACH MARINA
PLANNED DEVELOPMENT
PLAN (PD - 4)**

PD - 4



SUBAREA 2

Long Beach Marina

Alamitos Bay

SUBAREA 1